Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C.

Testimony of Seymour N. Siegel,
Director of Programs of WNYC in
behalf of the Municipal Broadcasting
System of the City of New York

In re: CLEAR CHANNEL HEARINGS Docket No. 6741

My name is Seymour N. Siegel. I am the Director of Programs of Radio Station WNYC, and have been associated with the station since 1934.

Station WNYC, which is under the direct supervision of the Mayor of the City of New York, the hon. William O'Dwyer, has been operating on a license which permits broadcasting on 830 kilocycles until sundown Minneapolis time. For the past five years WNYC has been operating until 10 P.M., Eastern Standard Time, under Special Service Authorizations of this Commission.

Those precious nighttime hours, from sunset Minneapolis time to 10 P.M., Eastern Standard Time, have been devoted, we believe, to providing a unique program service to the inhabitants of the City of New York, the largest city in the world, which would otherwise not be available to them.

Permit me to indicate that WNYC is owned and operated by the City of New York itself. The station is an adjunct of various municipal departments which use and require broadcasting service. It is entirely non-commercial in its operation and all of its programs are sustaining. It is devoted wholly and solely to the service, education, entertainment, recreation, health, welfare and safety of its owners, who are the taxpayers and citizens of New York City.

New York has become the capital of the world since the United Nations designated the City as its world headquarters. Ever since the United Nations began meeting, WNYC has broadcast complete and full information direct from the Council sessions. Because WNYC has no commercial commitments it is peculiarly well adapted to the allocation of large blocks of choice broadcasting time to the coverage of complete sessions of the Security Council, the General Assembly, the Atomic Energy Commission, the Economic and Social Council and other organs of the United Nations.

Many of the hours after sunset Minneapolis time have been utilized for the purpose of bringing to the radio audience complete "gavel to gavel" coverage of these discussions having to do with the peace of the world. Many times these meetings have run past 10 P.M., Eastern Standard Time, and this Commission has been good enough to entertain and grant our request to remain on the air until the adjournment of these sessions.

Jack Gould, radio editor of the "New York Times", and one of radio's most constructive critics, characterizes WNYC's "transmission, without extraneous comment or interpolation of the full sessions of the meetings of the United Nations" as "the responsibility which has fallen on the station and which to date it has discharged magnificently.

"For the first time the listener is being afforded the privilege of sitting in on the councils of the world's statesmen, in itself a tremendous advance.... toward that international understanding so vitally needed for the achievement of lasting peace. At the hands of the Nazis and Fascists, radio was employed

as a weapon of war to unhinge the reason of one's neighbors; now, here in New York, radio can make the full turn and use its power to benefit all mankind. Without exaggeration, the broadcasting of the U.N. sessions represents perhaps the greatest opportunity for public service that American radio has ever enjoyed....the major distinction of WNYC is not so much that it is ideally suited to serve as a local U. N. outlet as that it has shown it can fill the role with mature dignity and understanding." (N.Y. Times - April 7th, 1946)

I should point out that no other radio station in the New York Area provides this service. I should also point out that if nighttime operation were not available to WNYC under Special Service Authorization this public service would be denied to the eight million inhabitants of the City of New York. The attention of the Commission is respectfully invited to the fact that WNYC's coverage of the United Nations Sessions in this fashion resulted this year in the presentation of a First Award at the Eleventh American Exhibition of Education Radio Programs by the Institute for Education by Radio of Ohio State University.

We have utilized the nighttime hours, between sunset Minneapolis and 10 P.M., Eastern Standard Time, to educate and make known to the thousands of veterans resident in New York City, their rights, privileges and responsibilities under the G.I. Bill of Rights. The Veterans' Administration has conducted regular programs over our facilities under the general heading of "Straight Facts for Veterans". These programs have answered the many questions which arose under various interpretations of the statute.

We have originated various programs from the New York City Veterans Center at 500 Park Avenue, outstanding of which has been the "Careers in Small Business" series broadcast from 8:30 to 9:30 P.M., on Wednesday over WNYC. This program has been specially designed to utilize radio to distribute more widely the benefits of the New York City Veterans Service Center's information and guidance services. Experts on certain types of small business such as Self-Service laundries, Candy Stores and Luncheonettes, Small Scale Export and Import business, Bars and Grills, Gas Stations, etc., present to the Ex-GI, a pretty clear picture of the elements necessary for success in a given type of business. The program is a guidance project and represents a unique departure from ordinary radio presentations. This service is not available through any other radio station in the Metropolitan area and would not be available to the half million veterans in the Metropolitan area if it were not broadcast by WNYC.

State and national conventions and meetings of various organizations such as the American Legion, Veterans of Foreign Wars and others have been given full coverage by WNYC. No other radio station in the City of New York devoted as much time to the recent American Legion National Convention as did WNYC. We could not have provided this service if we did not have the Special Temporary Authorization granted to us by the Commission for nighttime operation.

The Want Ad Column of the Air, broadcast by WNYC, is a daily program designed to fill the needs of industrial activity involving employers, employees and the public with respect to current employment needs and opportunities for work and training in the New York City area. This program, which was previously prepared by the United States Employment Service, is now under the supervision and control of the officials of the New York State Employment Service. It is devoted to all employment needs of large and small industrial plants in this area as well as to the requirements of the Federal, State and Municipal Governments in the handling of the many phases of employment problems that present themselves.

WNYC devotes large blocks of evening time when it can reach the greater proportion of the citizens of New York for the broadcasting of information on

Rent Control. No station in the metropolitan area provides as much regular continuous information on the rent problems of City dwellers as are contained in the New York City Rent Commission broadcasts conducted by the Chairman of the Rent Commissionover WNYC on Thursday nights.

We have utilized the resources of the College of the City of New York, Queens College, Hunter College, Brooklyn College and New York University in the broadcast of forums and debates on social, economic and political issues, especially those of local import. These discussions of public issues attract their greatest audiences during nighttime hours, and many such local issues have been presented to the public in this form solely by WNYC. I have in mind particularly the broadcast of the Transit Hearings direct from the Board of Estimate Chambers which lasted two days and two nights. The nickel fare was and is an extremely important issue in New York City. Hundreds of representatives of various organizations, as well as individuals themselves, appeared before WNYC's microphones when they expressed their views concerning this issue before New York City's Board of Estimate. As a result of these broadcasts thousands of pieces of mail were received, and we like to believe that the airing of these hearings had a great deal to do with the crystallization of public opinion and with a fuller understanding of the many problems involved in the issue. No other station in New York City provided this service on such a scale and if WNYC did not enjoy the temporary special service authorization, this service would not have been available to the people of the City of New York. Permit me to point out that this particular broadcast attracted wide acclaim from the trade paper "VARIETY", and that publication presented to WNYC a first award in the form of its showmanagement plaque for community leadership.

The public health is another major area in which WNYC provides a peculiarly comprehensive service. One of the important functions is to disseminate public health information in accordance with the requirements of the health Commissioner of the City of New York and of the United States Public Health Service. We publicize and emphasize the enforcement of local ordinances and laws essential to and for the protection of the health and safety of the inhabitants of the City of New York. There are more public health programs on WNYC than any other radio station in New York City.

The drive against communicable diseases, especially tuberculosis and syphilis, is constantly being emphasized in our programming.

The station carries the Academy of Medicine "Lectures to the Laity", as well as integrated series of programs provided by the New York County Medical Society, the Medical Society of Kings County, the Bronx County Medical Society, the New York Tuberculosis and Health Association and the Oral Hygiene Committee of the American Dental Society.

Public health association functions and meetings are broadcast regularly by WNYC, and in many instances this service would not be available to the people of the City of New York if WNYC did not enjoy the benefits of the special temporary service authorization granted by the Commission.

1948 is the 50th anniversary of the consolidation of the five boroughs of the City of New York and the establishment of Greater New York. Plans have been proposed for the celebration of the City's Golden Jubilee. WNYC already has drawn up plans to broadcast events and functions celebrating New York City's Golden Jubilee throughout the year with a special emphasis on a proposed exposition to be held during 1948. The preparation of these plans takes on an air of uncertainty because of the temporary character of our nighttime authorization.

There are many other programs and services rendered by WNYC in the public interest. I should like to invite your attention to our use of non-commercial

spot announcements which are the only type of spot announcements used on WNYC. These are not paid for by any sponsor, and they are devoted to non-profit causes for social and health agencies for the municipality, for the state and federal governments, and for the armed services. WNYC's weekly Public Service Packet contains an average of forty announcements. These are broadcasts regularly over WNYC an average of four times a week. This packet is prepared in full conformance with the federal Communications Commission Report under Public Service Responsibility of Broadcast Licensees of March 7, 1946. No other station in New York City utilizes non-commercial public service announcements to the extent or in the areas which WNYC does. The effectiveness of these public service announcements, however, would be sharply curtailed were it not for the special temporary service authorization under which we have been operating.

What is most vital, however, for the purposes of Municipal Broadcasting, has been the availability of nighttime operation during times of emergency, of which last year, for instance, seems to have had more than a normal share. Three times during the year transit tie-ups threatened. Last winter's ten day tugboat strike was a very definite reality. The dislocating Staten Island ferry boat fire, the prolonged paralysis of the trucking strike and the coal strike are all examples of emergencies which required the nighttime use of the City Radio Station. Through all these unforeseen disruptions to the normal life of New York City the Municipal Broadcasting System broadcast developments, announcements, and bulletins as well as the voice of the Mayor of the City of New York repeatedly. Such immediate broadcasting service was not available on any of the commercial radio stations in New York City. The reassurance of the public, and the protection of life and property by the use of this great medium of communication could not have been accomplished without the Special Service Authorization permitting night time operation for WNYC.

I have attempted to describe in some small measure some of the programs and services which are of a unique character which are rendered by WNYC. In addition to this type of programming the audience of WNYC has been sustained by program service of a high entertainment value including dramatic programs and good music.

During the past five years night time service has been conducted on a continuous basis under temporary Special Service Authorizations utilizing a directional antenna. But these Authorizations have been sometimes on a month to month basis. We would like to terminate the uncertainty which besets us from month to month in our program planning. Permit me to point out also, that there is no record, so far as I know, of any complaint of interference during WNYC's special night time operation. Perhaps from an engineering viewpoint, upon accepted engineering figures, a condition of interference in some secondary service area of the dominant station on our frequency should or could exist. Whether it actually does or not is not borne out by complaints from the radio public.

We would like to continue to enjoy the same privileges extended to us by our Special Temporary Service Authorization, but on a permanent basis.

The City of New York has never sought to benefit in any way, if such benefit caused inconvenience to radio listeners in any part of the United States. In Docket No. 5705, Matter of The Application of the City of New York, decided on October 19, 1942, it appeared then that regular night time operation of WNYC would not have caused any inconvenience except to a small northeastern part of Wisconsin. Against this, however, might I point out the opportunity for service to the eight million people of the City of New York, of programs of undisputed educational and cultural content.

We are not asking for any blanket change in the rules and regulations of the Commission. We are not looking to set up precedents for general application throughout the spectrum. We think that each individual case must be judged on local situations. The opportunity for war time service which WNYC discharged so well has coincidently indicated that no harm has been done by permitting night time operation, perhaps not even to the established essence of the Clear Channel System. After five years it would be fantastic for the City of New York to be compelled to go back to signing off the air at 5:30 in the afternoon.

We would like to continue to expand the existing undiluted public service being rendered by WNYC in the cause of United Nations and for the welfare, education and information of the inhabitants of the City of New York. We want to continue to present to the citizens of New York's Metropolitan area, on a permanent basis, the unique educational, cultural broadcasting service of which Fortune Magazine has said, in its issue of March 1947, "Here is U.S. Radio at its most persistently mature."

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